

Montana Department of Natural Resources and Conservation  
Water Resources Division  
Water Rights Bureau

**ENVIRONMENTAL ASSESSMENT**  
**For Routine Actions with Limited Environmental Impact**

**Part I. Proposed Action Description**

1. Applicant/Contact name and address: F Double D LLC  
8029 Frontage Rd.  
Manhattan, Mt. 59741
2. Type of action: Application to Change A Water Right # 30030016-41H
3. Water source name: Unnamed Tributary of Gallatin River
4. Location affected by project: S2 Sec 27, S2 Sec 28, Sec 33, Sec 34 T2N R 3E, Gallatin County.
5. Narrative summary of the proposed project, purpose, action to be taken, and benefits:  
The DNRC shall authorize a change if an applicant proves the criteria in # 85-2-402 MCA are met. The applicants propose to retire 140.5 acres of past irrigation. The consumed volume, 163.31 acre-feet, will be used to fill two new wetlands. One 13.7 surface acres, with a 22.9 acre-foot capacity. The other 12.8 surface acres, and a 19.9 acre-foot capacity. These new wetlands are being endorsed by the Montana Department of Fish, wildlife & Parks, The Montana Wetlands Legacy Partnership, and Ducks Unlimited. The new wetlands will be located in the SWSWSE Sec 28, N2 Sec 33, and SW Sec 34 T2N R3E, Gallatin County.
6. Agencies consulted during preparation of the Environmental Assessment:  
(include agencies with overlapping jurisdiction) Montana State Historical Preservation Office, Montana Department of Fish, Wildlife & Parks, Montana Natural Heritage Program, Gallatin County Planning Office, Montana Department of Environmental Quality.

**Part II. Environmental Review**

**1. Environmental Impact Checklist:**

**PHYSICAL ENVIRONMENT**

**WATER QUANTITY, QUALITY AND DISTRIBUTION**

**Water quantity** - Assess whether the source of supply is identified as a chronically or periodically dewatered stream by DFWP. Assess whether the proposed use will worsen the already dewatered condition.

*Determination:* The source of water is an unnamed tributary to the Gallatin River, which is not listed as chronically or periodically dewatered by the DFWP.

**Water quality** - *Assess whether the stream is listed as water quality impaired or threatened by DEQ, and whether the proposed project will affect water quality.*

*Determination:* This unnamed tributary to the Gallatin River is not listed on the DEQ, 303(d) list.

**Groundwater** - *Assess if the proposed project impacts ground water quality or supply. If this is a groundwater appropriation, assess if it could impact adjacent surface water flows.*

*Determination:* Water will be diverted into these bermed wetlands, where water may seep out and recharge and raise the water table.

**DIVERSION WORKS** - *Assess whether the means of diversion, construction and operation of the appropriation works of the proposed project will impact any of the following: channel impacts, flow modifications, barriers, riparian areas, dams, well construction.*

*Determination:* Water will be impounded behind two berms. Existing headgates will be used to divert water into the wetlands.

#### **UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES**

**Endangered and threatened species** - *Assess whether the proposed project will impact any threatened or endangered fish, wildlife, plants or aquatic species or any "species of special concern," or create a barrier to the migration or movement of fish or wildlife. For groundwater, assess whether the proposed project, including impacts on adjacent surface flows, would impact any threatened or endangered species or "species of special concern."*

*Determination:* The Montana Natural Heritage Program was contacted. The Greater Short-Horned Lizard, and Bald Eagle may be found in the area. It does not appear that the two proposed wetlands would impact these species.

**Wetlands** - *Consult and assess whether the apparent wetland is a functional wetland (according to COE definitions), and whether the wetland resource would be impacted.*

*Determination:* These wetlands were designed by Ducks Unlimited. The project is indorsed by Tom Hinz, Coordinator, Montana Wetlands Legacy Partnership, and Ken McDonald, Administrator Wildlife Division, Montana Department of Fish, Wildlife & Parks.

**Ponds** - *For ponds, consult and assess whether existing wildlife, waterfowl, or fisheries resources would be impacted.*

*Determination:* These proposed wetlands are being built to provide benefits to wildlife & waterfowl. There should be no impact to fisheries, as no additional water will be diverted from the source.

**GEOLOGY/SOIL QUALITY, STABILITY AND MOISTURE** - *Assess whether there will be degradation of soil quality, alteration of soil stability, or moisture content. Assess whether the soils are heavy in salts that could cause saline seep.*

*Determination:* This location is unlikely to have saline seep. Soil moisture content may increase near and under the wetlands. Soil quality or stability should not be changed.

**VEGETATION COVER, QUANTITY AND QUALITY/NOXIOUS WEEDS** - *Assess impacts to existing vegetative cover. Assess whether the proposed project would result in the establishment or spread of noxious weeds.*

*Determination:* The vegetative cover will be inundated by the new wetlands. The area disturbed from the borrow areas will need to be reseeded to prevent the spread of noxious weeds.

**AIR QUALITY** - *Assess whether there will be a deterioration of air quality or adverse effects on vegetation due to increased air pollutants.*

*Determination:* There is no significant impact to air quality relating to these wetlands.

**HISTORICAL AND ARCHEOLOGICAL SITES** - *Assess whether there will be degradation of unique archeological or historical sites in the vicinity of the proposed project.*

*Determination:* The State Historical Preservation Office was contacted. They stated, “As long as there will be no disturbance or alteration to structures over fifty years of age we feel that there is a low likelihood cultural properties will be impacted. We, therefore, feel that a recommendation for a cultural resource inventory is unwarranted at this time.”

**DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AND ENERGY** - *Assess any other impacts on environmental resources of land, water and energy not already addressed.*

*Determination:* No impacts on other environmental resources were identified.

## HUMAN ENVIRONMENT

**LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS** - *Assess whether the proposed project is inconsistent with any locally adopted environmental plans and goals.*

*Determination:* The Gallatin County Planning Board has no restrictions against building wetlands.

**ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES** - *Assess whether the proposed project will impact access to or the quality of recreational and wilderness activities.*

*Determination:* This project is located on private land, with no access to public recreation or wilderness activities. Therefore, no impact is expected.

**HUMAN HEALTH** - Assess whether the proposed project impacts on human health.

*Determination:* No impact on human health is expected.

**PRIVATE PROPERTY** - Assess whether there are any government regulatory impacts on private property rights.

Yes\_\_\_ No **X** If yes, analyze any alternatives considered that could reduce, minimize, or eliminate the regulation of private property rights.

*Determination:* Private property rights are not impacted by this action.

**OTHER HUMAN ENVIRONMENTAL ISSUES** - For routine actions of limited environmental impact, the following may be addressed in a checklist fashion.

*Impacts on:*

- (a) Cultural uniqueness and diversity? No significant impact
- (b) Local and state tax base and tax revenues? No significant impact
- (c) Existing land uses? No significant impact
- (d) Quantity and distribution of employment? No significant impact
- (e) Distribution and density of population and housing? No significant impact
- (f) Demands for government services? No significant impact
- (g) Industrial and commercial activity? No significant impact
- (h) Utilities? No significant impact
- (i) Transportation? No significant impact
- (j) Safety? No significant impact
- (k) Other appropriate social and economic circumstances? No significant impact

**2. *Secondary and cumulative impacts on the physical environment and human population:***

Secondary Impacts No secondary impacts to the human or physical environment have been identified.

Cumulative Impacts No cumulative impacts to the human or physical environment have been identified.

3. ***Describe any mitigation/stipulation measures:*** Mitigation or stipulation measures are not planned at this time.
4. ***Description and analysis of reasonable alternatives to the proposed action, including the no action alternative, if an alternative is reasonably available and prudent to consider:*** The no action alternative would be to not authorize these wetlands. If not Authorized, the wetlands can not legally be constructed. Because they are over 10 acre-feet in capacity, the applicants can not file a Notice of Completion of Ground Water Development.

### ***PART III. Conclusion***

1. ***Preferred Alternative*** Authorize the change from irrigation to wetlands.
2. ***Comments and Responses*** Ducks Unlimited, the Montana Wetlands Legacy Partnership, and the Montana Department of Fish, Wildlife & Parks all supplied comments in favor of this proposed project.
3. ***Finding:***  
Yes\_\_\_ No\_**X**\_\_ *Based on the significance criteria evaluated in this EA, is an EIS required?*

*If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action:* Significant impacts have not been identified. The EA is the appropriate level of action for this project.

*Name of person(s) responsible for preparation of EA:*

*Name:* Jan R Mack

*Title:* Water Resources Specialist

*Date:* January 31, 2008